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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 29 January 2015 from the Chargé d'affaires a.i. of the Permanent Observer Mission of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to draw your attention and, through you, the attention of the international community to the extreme hardships and suffering being endured by the Palestinian people under occupation in the State of Palestine, as Israel, the occupying Power, persists with its gross human rights violations, collective punishment and breaches of international humanitarian law. At this time, we are compelled to highlight the critical condition of Palestinian children, who are being subjected to escalating repression and acts of aggression, in breach of the Convention on the Rights of the Child, the Fourth Geneva Convention and other provisions of international law, resulting in a tragic situation of widespread suffering, trauma and loss of childhoods.

In particular, the situation of Palestinian children detained and imprisoned by Israel, the occupying Power, is a matter of urgency requiring immediate attention and redress. The occupying forces continue to harass and attack Palestinian children in violent raids on towns, villages and refugee camps, at checkpoints and in peaceful demonstrations and continue to carry out pre-dawn raids on the homes of families, seizing children in the dead of night, intensifying the trauma for both child and parents. It is also a routine practice of Israel to detain Palestinian children for extended periods of time without access to parents or lawyers and to subject children to forced interrogations, leading to confessions made under duress, and to beatings, solitary confinement and other forms of psychological and physical torture, as well as to military court trials. Regarding the systematic trial of Palestinian children in Israeli military courts, a report entitled "Children in Israeli Military Detention: Observations and Recommendations" issued by the United Nations Children's Fund (UNICEF) in February 2013 underscores that: "It is understood that this is the first and only juvenile military court in operation in the world".

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Here, we draw attention to the imprisonment of a Palestinian girl, Malak al-Khatib, age 14, who was seized by Israeli occupying forces on 31 December 2014 while walking home from school in the village of Beitin near Ramallah. She is now the youngest Palestinian female held by Israel. The girl was handcuffed and blindfolded upon arrest and was interrogated without the presence of her family or legal counsel and was detained for three weeks prior to her trial, on 21 January, by an Israeli military court. The court, which tried young Malak while her hands and feet were shackled, sentenced her to two months in prison and imposed a fine of $1,500 for allegedly "throwing stones", "possessing a knife" and "blocking a main road", all charges that her family denies. This travesty of justice is but one example of such deplorable acts by Israel, the occupying Power, which is deliberately and directly targeting the Palestinian child population, gravely violating their human rights and denying them and their families the protections of international law.

We condemn in the strongest terms such criminal Israeli actions against the Palestinian people, including children. Regrettably, despite the 2013 UNICEF report, which confirmed that Israeli practices of detaining, imprisoning and abusing Palestinian children amount to "cruel, inhuman and degrading treatment or punishment" in violation of international law, and similar reports by other human rights and humanitarian organizations, including Israeli ones, the occupying Power continues these illegal practices with zero accountability, ruining thousands of Palestinian lives and families.

Approximately 300 Palestinian children are now being held captive in Israeli jails, and a total of at least 1,266 Palestinian children were detained by the occupying forces in the West Bank, including in Occupied East Jerusalem, during 2014, with the majority between the ages of 12 and 15. Yet, it is well known that children as young as five years old have also been detained by Israeli soldiers, and just Sunday, 25 January, a 10-year-old Palestinian boy, Mohammed Afif Khweis, was assaulted and seized by occupying forces in the neighbourhood of Al-Tur in Occupied East Jerusalem. According to UNICEF, in the past decade, Israel has detained "an average of two children per day". Moreover, it has been documented that around 10,000 Palestinian children have been detained by Israel since the year 2000, with the number of child detainees increasing by 87 per cent over the past three years in specific.

We call on the international community to condemn this deplorable situation and to demand that Israel, the occupying Power, immediately desist from such crimes and violations and abide by its legal obligations. All Palestinian children must be released from Israeli captivity and we call also for the release of the rest of the over 6,800 Palestinians, including all women, ill persons and elected officials imprisoned or detained by Israel and for urgent redress of the inhumane conditions of their captivity until their release. The failure to hold Israel accountable for these systematic human rights violations and grave breaches of the Fourth Geneva Convention, including the transfer of prisoners outside of the occupied territory, is only fostering greater impunity, which must be brought to an end.

At the same time, we draw attention to the crisis of Palestinian children in the Gaza Strip. The eight-year Israeli blockade and devastating impact of the Israeli military aggression of July and August 2014 are affecting every aspect of Palestinian life, deepening the vulnerability of the Palestinian civilian population in Gaza, more than half of whom are children. We recall with great sorrow that at least

506 Palestinian children were killed by the Israeli occupying forces, constituting 20 per cent of the civilian death toll, and more than 3,000 children sustained injuries, many permanent and scarring them for life. Moreover, at least 1,500 children were left orphaned by this criminal war, inflicting on them unimaginable pain, anguish and helplessness and increasing the need for their assistance and protection.

We also recall that more than 110,000 people were rendered homeless by the Israeli aggression, which caused the destruction of and damage to thousands of homes, including over 96,000 refugee homes. More than half of the homeless are children and they and their families are suffering miserable conditions in makeshift shelters or prefabricated housing or even in the rubble of their homes during the cold, rainy winter months, with flooding and lack of adequate heating, electricity and water compounding the problems and misery. As stated by Robert Turner, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Director of Operations in the Gaza Strip, "People are literally sleeping amongst the rubble, children have died of hypothermia ... People are desperate and the international community cannot even provide the bare minimum — for example, a repaired home in winter — let alone a lifting of the blockade, access to markets or freedom of movement."

The rising hunger, poverty, isolation and deprivation of Palestinian children in Gaza are cause for despair as well as alarm. We are deeply concerned by the decision of UNRWA to suspend, owing to a lack funding, its cash assistance programme for families in Gaza to repair damaged and destroyed homes or for rental subsidies for the homeless. This will gravely impact needy Palestinian families and exacerbate their plight at a time when they are in desperate need of assistance and protection. We note that, to date, UNRWA has received only $135 million in pledges from the international community, leaving a shortfall of $585 million required for immediate needs. We renew our appeal to the international community to follow through with the generous pledges made at the Cairo Conference, stressing the urgency of such assistance to help to alleviate the immense suffering being endured by Palestinian children and their families under this inhumane Israeli blockade and occupation.

In closing, we reiterate our call on the international community, including the Security Council, to uphold the responsibilities under the Charter of the United Nations, international law and relevant resolutions to address this grave and deepening injustice. Immediate action must be undertaken to address human needs and allay human suffering, including in respect of the vulnerable child population in Palestine, as well as to stem the ongoing deterioration of the situation on the ground and to offer a political horizon forward. This is urgent for averting the further destabilization of the situation, with many foreseen and unforeseen consequences in this regard, as well as for salvaging the diminished prospects for peace and providing hope at a time of widespread hopelessness.

The present letter is in follow-up to our 534 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 5 January 2015 (A/ES-10/670-S/2015/4) constitute a basic record of the crimes being committed against the Palestinian people. Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.